

**REMARKS/ARGUMENTS**

Reconsideration and allowance of this application are respectfully requested. Currently, claims 1-19 are pending in this application.

**Request for Return of Form PTO-1449:**

On December 31, 2002, an Information Disclosure Statement (IDS) with Form PTO-1449 was filed in the present application. As of the present date, however, a fully initialed and dated Form PTO-1449 has not been returned. Applicant respectfully requests that the Form PTO-1449 be fully initialed and dated as an indication that the cited references have been fully considered and then the Form PTO-1449 returned. For the Examiner's convenience, Applicant has submitted a fresh copy of the Form PTO-1449.

**Rejection Under 35 U.S.C. §112:**

The Office Action states "Although Applicant(s) use 'means for' in the claim(s) (e.g. claim 1), it is the Examiner's position that the 'means for' phrase(s) do not invoke 35 U.S.C. 112 6<sup>th</sup> paragraph." Applicant first notes that not all previous claims (e.g., original claim 10) required "means" phraseology. In any event, the claims have been amended to delete all instances of "means" phraseology and therefore do not invoke a construction under 35 U.S.C. §112, 6<sup>th</sup> paragraph. Applicant therefore respectfully requests that the rejection under 35 U.S.C. §112 be withdrawn.

**Rejections Under 35 U.S.C. §102 and §103:**

Claims 1-6 and 10 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Koreeda (U.S. '137). Applicant respectfully traverses this rejection.

For a reference to anticipate a claim, each element must be found, either expressly or under principles of inherency, in the reference. Koreeda fails to disclose each element of the claimed invention. For example, Koreeda fails to disclose “a product fulfilment data store for storing one or more product descriptions,” as required by independent claim 1 and its dependents. Independent claim 10 requires a similar feature.

Koreeda discloses the storage of data specifying what has been ordered by a customer. However, Koreeda does not disclose the storage of data specifying what has been provided to a customer (product fulfilment data). The Office Action apparently alleges that delivery processing unit 19 discloses this claimed feature. Applicant respectfully disagrees. Koreeda does not disclose that delivery processing unit 19 does anything other than output a delivery instruction (see col. 6, lines 11-19 and col. 7, lines 1-2).

Koreeda also fails to teach or suggest “wherein at least one link is generated between each product description in the product fulfilment data store to data stored in the enterprise capability store, and at least one link is generated between each product description in the product fulfilment data store to data stored in the

product selection store, said links being determined by a requirement in the respective product description for specified data in the enterprise capability store and the product selection store, such that a valid product description is dependent on presence of said specified data,” as required by claim 1. For example, the Office Action appears to ignore that the links are stated to be between items of data rather than between the data stores themselves.

Dependent claim 2 further requires “wherein the specified data in the enterprise capability store relates to equipment necessary to support provision of a product identified in the product description.” Applicant submits that Koreeda fails to disclose this claimed feature.

Dependent claim 3 further requires an availability date accompanying a product description. The Office Action apparently alleges that the fact that the product data is sent to the user after his browsing session means that the product data is updated to take account of the availability of the product. However, Koreeda fails to disclose that this is the case. In any event, even if a subsequent product availability check were carried out in Koreeda, this would still not teach the above described feature of claim 3.

With respect to dependent claim 5, Koreeda fails to disclose an enterprise capability store for storing data defining capability of an enterprise in relation to supply of one or more products. There is no discussion in Koreeda as to how an order for a product which is unavailable might be handled.

Accordingly, Applicant submits that claims 1-6 and 10 are not anticipated by Koreeda and respectfully requests that the rejection of these claims under 35 U.S.C. §102(b) be withdrawn.

Claims 7-9 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Koreeda in view of Blinn et al (U.S. '622, hereinafter "Blinn"). Applicant respectfully traverses this rejection. Since claims 7-9 depend at least indirectly from claim 1, all of the comments made above with respect to Koreeda as applied to claim 1 apply equally to claims 7-9. Applicant submits that Blinn fails to remedy the above described deficiencies of Koreeda. Applicant submits that claims 7-9 are not "obvious" over Koreeda in view of Blinn and therefore respectfully requests that the rejection of these claims under 35 U.S.C. §103 be withdrawn.

**New Claims:**

New claims 11-19 have been added to provide additional protection for the invention. New independent claim 11 and its dependents require, *inter alia*, "wherein the creation of a product description in the product fulfilment data store is dependent on the existence of the product description in the enterprise capability store." Independent claim 14 and its dependents require a similar feature. Independent 16 and its dependents require, *inter alia*, "wherein the creation of a service description in the successful provision data store is dependent on the

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**August 26, 2004**

the enterprise capability store.” Applicant submits that claims 11-19 are allowable.

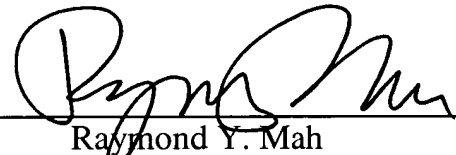
**Conclusion:**

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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## INFORMATION DISCLOSURE CITATION

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APPLICANT

BRIEL et al

FILING DATE

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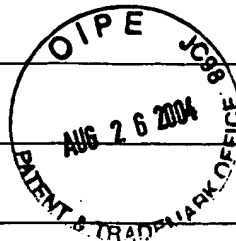
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**GROUP**

Unknown

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## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

**OTHER DOCUMENTS** (including Author, Title, Date, Pertinent pages, etc.)

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\*Examiner

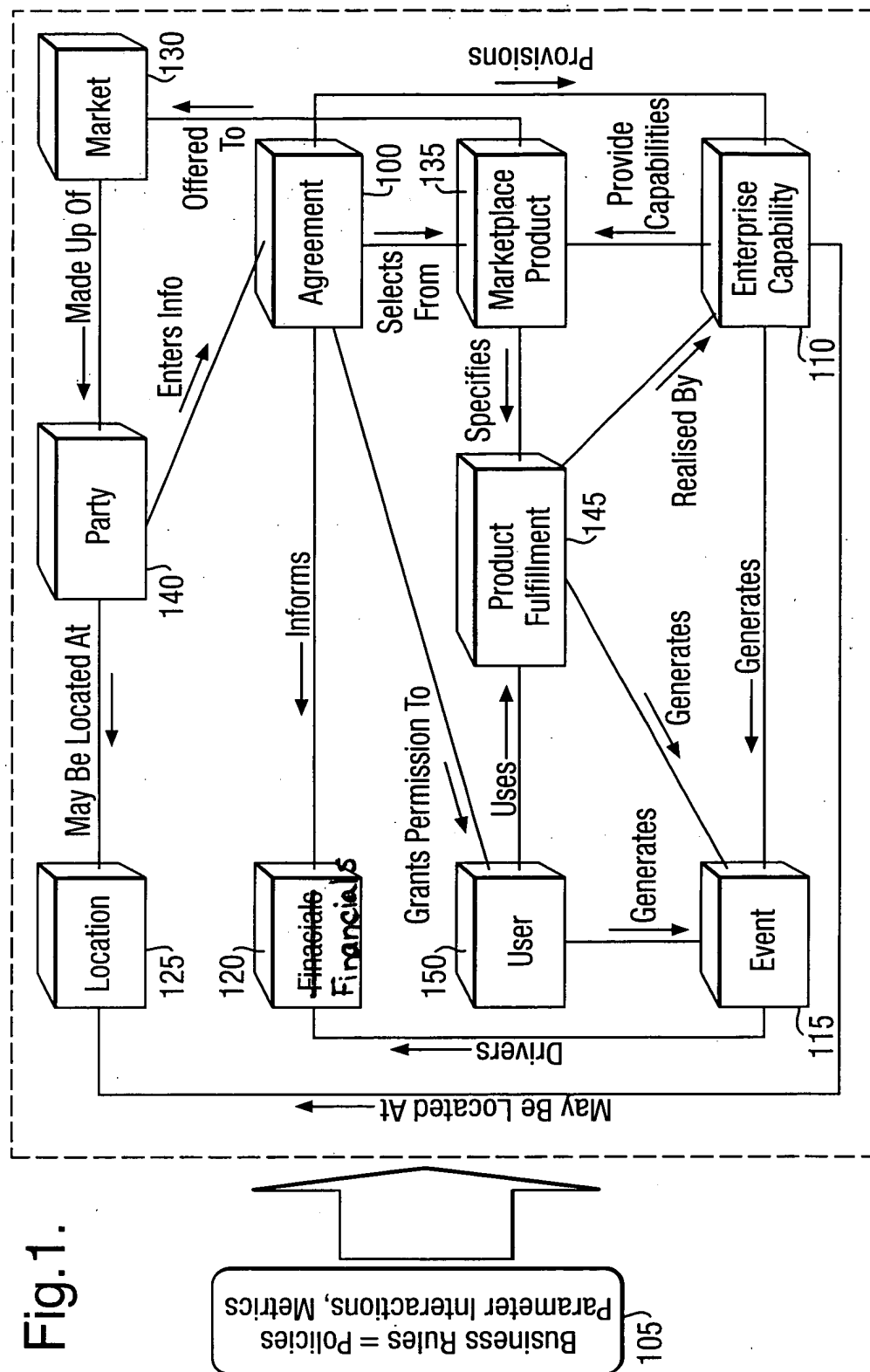
Date Considered

Inner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Form PTO-FB-A820 (Also PTO-1449)

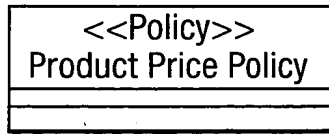
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Fig.13.



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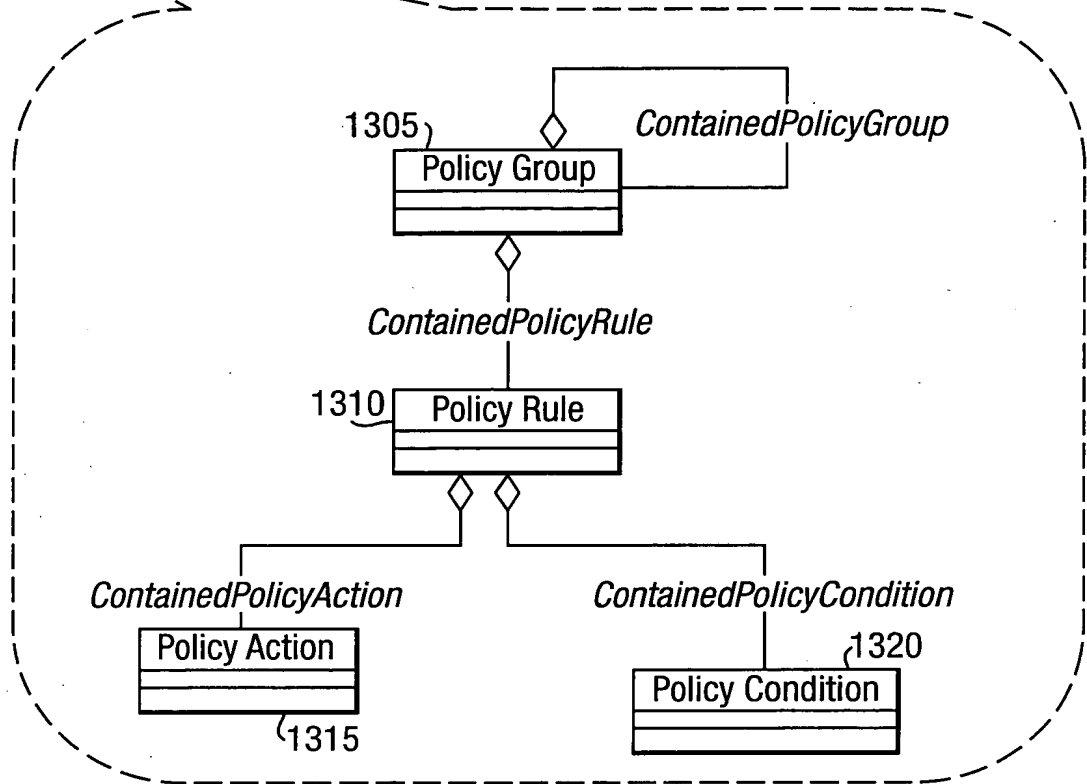
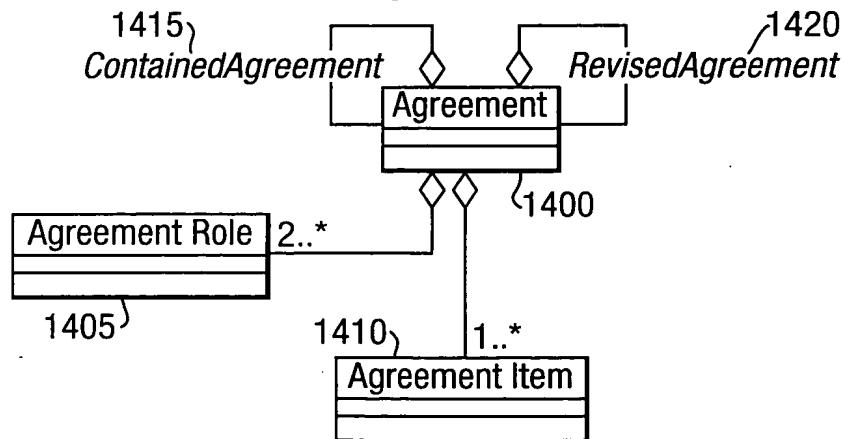


Fig.14.







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Fig.15.

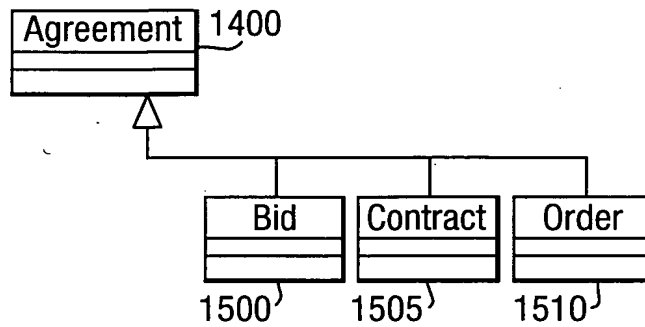


Fig.16.

